House panel questions Colby

WASHINGTON (AP) — Central Intelligence Agency Director William E. Colby acknowledged Monday that a CIA agent assigned to the National Security Council was in a position to bypass the council and recommend secret agency operations to former President Richard M. Nixon.

But Colby denied the agency attempted to manipulate the president. If the CIA employe recommended any covert operations, Colby said, he did so as a staff member of the National Security Council.

Colby made his comments under questioning by the Select House Intelligence Committee.

Rep. Robert Kasten Jr., RWis., said the 20-year CIA employe has told the committee staff that he recommended some covert CIA operations between 1971 and 1973 while on the payroll of the CIA's Covert Actions Section.

The recommendations went to his boss on the National Security Council and then to Dr. Henry A. Kissinger, then Nixon's foreign affairs adviser, to be passed on to the president for approval, Kasten said.

Kasten said this appeared to violate law against the CIA conducting any covert operations not approved by the National Security Council.

Colby replied that until last December it was not illegal for the CIA to conduct secret operations approved by a president "who might not choose to go through the National Security Council."

Colby added that even though the employe was on the CIA payroll he was working for the National Security Council and any recommendations he made to Nixon "are that council's business, they're not mine."

"If you believe the CIA was involved in a conspiracy to manipulate the U.S. government, it would be a problem," Colby said. "But I know we were not."

Under other questioning, Colby refused to say in open session whether the CIA is working with any Vietnamese refugees to obtain intelligence.

He said he would have to study before he could answer a question of whether Congress' War Powers Act would prevent the CIA from engaging in paramilitary operations such as those in Cuba and Laos in the past.

He testified he knows no justification for CIA involvement in political assassinations and cited his directive prohibiting such CIA activity.

But, he added, "I would not have resisted any effort against Hitler in 1944."

Colby also acknowledged that his prohibition of CIA political assassinations could be overturned by some future CIA director.

Asked if he believed Congress could write such a ban itself, Colby said he believed it would be difficult, but "I would not disagree with it."